

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Howard M. Kingston  
Assignee: Metara, Inc.  
Title: Method And Apparatus For Automated In-Process, Isotope Dilution  
Threshold And Quantification Measurement Mass Spectrometry  
Serial No.: 10/004,627 Filing Date: 12/04/2001  
Examiner: James P. Hughes Group Art Unit: 2881  
Docket No.: M-15307 US

Irvine, California  
February 12, 2003

COMMISSIONER FOR PATENTS  
ALEXANDRIA VA. 22313-1450

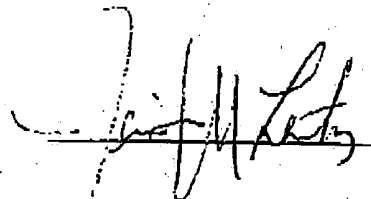
DECLARATION OF JENNIFER LANTZ IN SUPPORT OF THE FILING UNDER  
RULE 1.47(A)

JENNIFER LANTZ, having been duly sworn, does hereby depose and say as follows:

That, as an attorney at the law firm of Macpherson, Kwok, Chen, & Heid LLP (hereinafter "the MacPherson firm"), she represents the assignee of the present application, Metara, Inc., (hereinafter "Metara") in a declaratory judgment action, case No. C03 04594 JF, filed October 10, 2003. That Metara is adverse to Howard Kingston in this declaratory judgment action. That she is aware of Metara's efforts to correct the inventorship in the present application. That, as part of these efforts, Metara is seeking Howard Kingston to sign a declaration (hereinafter "the revised declaration") including newly-added inventors. That, however, because of the adversity between Metara and Howard Kingston, it would be improper for attorneys at the MacPherson firm to directly contact Howard Kingston to present him with the revised declaration. That rather than contact Howard Kingston directly, attorneys at the MacPherson firm could properly deliver the revised declaration to Howard

Kingston through Howard Kingston's attorneys in the declaratory judgment action at the law firm of Cohen & Grigsby, P.C. That she is aware that Jonathan Hallman, another attorney at the MacPherson firm, had a copy of the present application and the revised declaration delivered on March 10, 2004 to Howard Kingston's attorney at the law firm of Cohen & Grigsby. That, during discussions with Howard Kingston's attorney on March 26, 2004, she confirmed that Howard Kingston was in receipt of the revised declaration and the copy of the present application. That, during these same discussions, Howard Kingston's attorney provided no indication that Howard Kingston would sign the revised declaration nor an explanation as to why Howard Kingston has not signed the revised declaration.

FURTHER DEPONENT SAYETH NOT,

 dated 4-16-04

Jennifer Lantz

LAW OFFICES OF  
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